

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In re: BEVERLY JEAN YOUNG,

CASE NO. 24-11871-KHK

Debtor,

CHAPTER 13

VIRGINIA HOUSING DEVELOPMENT AUTHORITY,

Movant,

vs.

BEVERLY JEAN YOUNG,
and
THOMAS P. GORMAN, TRUSTEE,

Respondents.

**MOTION FOR RELIEF FROM STAY
AND NOTICE OF MOTION AND HEARING**

The motion of the Movant, VIRGINIA HOUSING DEVELOPMENT AUTHORITY, by counsel, respectfully represents as follows:

1. That Movant is a political subdivision of the State of Virginia.
2. That on October 7, 2024, Debtor filed in this Court a Petition under Chapter 13 of the United States Bankruptcy Code, whereupon an Order for Relief was entered.
3. That THOMAS P. GORMAN is the Chapter 13 Trustee.

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4. That the Court has jurisdiction over this contested matter pursuant to 11 U.S.C. § 362(d) and (e), and this action is a core proceeding within the meaning of 28 U.S.C. § 157.

5. That at the time of the filing of the Petition in Bankruptcy herein and now, Debtor owned or held an interest in the following property (hereinafter the “Property”):

Lot One Hundred Forty-One (141), Block One-B (1-B), Section Forty-One (341), “RESTON”, as the same appear duly dedicated, platted and recorded in Deed Book 5264 at Page 871, among the land records of Fairfax County, Virginia.

This Property is commonly known as 1739 Quietree Drive, Reston, Virginia 20194.

6. That Movant, by Assignment, is the holder of a certain Note which is secured by a certain Deed of Trust recorded in the Clerk’s Office of the Circuit Court of Fairfax County, Virginia, as Instrument No. 2021111687 encumbering the Property, executed by Debtor, and which Note has an outstanding principal balance of \$439,810.18 as of the date hereof.

7. That the mortgage loan account is in default for the regular mortgage loan payments due May 1, 2025, and all those due thereafter, and the amount necessary to reinstate post-petition as of the date of the filing of this motion is \$6,917.76 **(exclusive of Movant’s attorney’s fees and costs and exclusive of any other payments that become due after the filing of this motion)**, itemized as follows:

\$11,789.36	4 payments (May 1, 2025 through Aug. 1, 2025 @ \$2,947.34/month)
- 178.85	less funds held in suspense
\$11,610.51	total post-petition arrearage AS OF THE DATE OF THIS MOTION, AND EXCLUSIVE OF ATTORNEY’S FEES AND COSTS

ATTORNEY FOR THE MOVANT MUST BE CONTACTED TO OBTAIN THE FULL AMOUNT NECESSARY TO PAY THE LOAN CURRENT.

8. That cause exists for terminating the stay, including the failure of Debtor to make when due post-petition payments to Movant and the failure to provide Movant with adequate protection of its interest in the Property.

9. That there may be no equity in the Property as the payoff on the first lien Deed of Trust held by the Movant is \$ 488,993.14 and the current tax assessment is \$481,830.00; however, the Property is not necessary for an effective reorganization.

10. That Movant is being injured by its inability to proceed against the Property securing the indebtedness due to the automatic stay provided for in 11 U.S.C. § 362.

WHEREFORE, VIRGINIA HOUSING DEVELOPMENT AUTHORITY moves that the automatic stay provided for by the provisions of Title 11 of the United States Bankruptcy Code be modified in conformance therewith, that the appeal period provided for by Rule 4001(a)(3) be waived, and that it be granted such other and further relief as this Court shall deem proper.

DATED at Virginia Beach, Virginia, this 8th day of August, 2025.

VIRGINIA HOUSING DEVELOPMENT AUTHORITY

By: /s/ James A. Evans
Of Counsel

James A. Evans (VSB #04441)
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****NOTICE OF MOTION AND HEARING****

The Movant, Virginia Housing Development Authority, has filed papers with the court for relief from the automatic stay provided for by the provisions of Title 11 of the United States Bankruptcy Code.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant the relief sought in this motion, or if you want the Court to consider your views on the motion, then on or before **August 22, 2025**, you or your attorney must:

- Send to the parties listed below at least 14 days written notice of a hearing, which may be set on any regularly-scheduled motion day of the judge assigned to the case. If necessary, you may obtain a list of such dates from the court's website at www.vaeb.uscourts.gov under the link for "Calendars". The original notice must be filed with the clerk. If you are not represented by an attorney, you may instead file with the clerk a written request for a hearing. If you mail your request for hearing to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. The address of the clerk's office is as follows:

**Clerk of Court
United States Bankruptcy Court
200 S. Washington Street
Alexandria, Virginia 22314**

You will be notified by the clerk of the hearing date and will be responsible for sending notice of hearing to the parties listed below.

- File with the court, at the address shown above, a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). **Unless written response and supporting memorandum are filed and served by the date specified, the court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.** If you mail your response to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above. You must **also** send a copy to the persons listed below.

- Attend the hearing on the motion scheduled to be held on **September 29, 2025 at 11:00 a.m.** at Judge Kindred's Courtroom, United States Bankruptcy Court, 200 South Washington Street, Alexandria, Virginia 22314.

A copy of any written response must be sent to:

**James A. Evans, Esq.
Counsel for Movant
JAMES A. EVANS, ATTORNEY AT LAW, PLC
2101 Parks Avenue, Suite 301
Virginia Beach, Virginia 23451-4183**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: August 8, 2025

/s/ James A. Evans

James A. Evans (VSB#04441)

PROOF OF SERVICE:

I hereby certify that on the 8th day of August, 2025, a true copy of the foregoing Motion for Relief from Stay and Notice of Motion and Hearing was mailed by electronic means or first class United States mail, postage fully prepaid, to each party required to receive notice under Local Bankruptcy Rule 4001(a)-1(E)(1) as follows:

Debtor:

Beverly Jean Young
1739 Quietree Drive
Reston, Virginia 20194

Counsel for Debtor:

Daniel M. Press, Esq.
6718 Whittier Avenue, Suite 200
McLean, Virginia 22101

Trustee:

Thomas P. Gorman
1414 Prince Street, Suite 202
Alexandria, Virginia 22314

/s/ James A. Evans

James A. Evans (VSB #04441)